

Welcome to the Maryland Courts' video series on expungement.

While it's important for court records to be open to the public, in certain cases, you may ask the court to expunge your criminal record. If the court grants your request, information about your case will be removed from court and law enforcement records.

In this six-part series, you'll learn about case types that may be eligible for expungement. This video only covers expungement eligibility in cases that ended with probation before judgment. If your case had a different outcome, see the other videos in this series. You can find your case disposition, or status, on your court paperwork. This information is also available on Case Search at mdcourts.gov/casesearch

This series covers expungement of adult court and law enforcement records only. It does not address juvenile records or records from other state agencies.

You will be learning a lot of new information, so consider using the tip sheet and taking notes. Let's get started with our discussion on expunging records in cases that resulted in probation before judgement, also known as PBJ.

CHAPTER HEADING FULL SCREEN TEXT: ELIGIBLE PROBATION BEFORE JUDGMENT CASES

The law on expungement of PBJ cases can be complicated. It's also a fairly common disposition. That's why we single it out for discussion in this video. A case that ends in PBJ may be eligible for expungement under certain conditions.

If your case involves conduct which is no longer a crime, it can be expunged. No exceptions. If the conduct for which you were charged is still a crime, the court may be able to expunge the record. But, the law gets tricky here. There are several exceptions that may make a PBJ case ineligible. We'll go over those now.

CHAPTER HEADING: EXCEPTIONS

Driving While Intoxicated and Driving While Impaired are two cases types ineligible for expungement. The court cannot expunge your case if you received a disposition of Probation Before Judgment in a DWI or DUI case.

Let's look at two more exceptions in cases that end with a Probation Before Judgment. The court cannot expunge your case if, in the three years since the court entered PBJ, you were convicted of another crime. Minor traffic offenses that don't involve jail time are not taken into consideration. Also, your PBJ case cannot be expunged if you are a defendant in a pending criminal case.

Finally, you may have been charged with multiple criminal acts for the same event or incident. These charges are part of the same "unit." If any charge in that unit is ineligible for expungement, then the PBJ charge is not eligible. Minor traffic offenses don't count.

CHAPTER HEADING: SUMMARY

Let's do a final review of Probation Before Judgment expungements. If the underlying conduct is no longer a crime, the case is eligible for immediate expungement. If the conduct is still a crime, the case record may be expunged, with some exceptions. Those exceptions include DUI and DWI, cases where you had a subsequent conviction, or if you have a pending criminal case. The final exception applies to cases in which another charge in the same "unit" is not eligible for expungement.

One last thing: Before you ask the court to expunge your PBJ, be sure you know how long you must wait before submitting your petition. There is a required waiting period. Part 5 of this series explains when to file.

A Maryland Judiciary Production
My Laws, My Courts, My Maryland

EXPUNGEMENT: ELIGIBILITY IF YOUR CASE ENDED WITH PBJ – PART 3

We hope you find this information on Probation Before Judgment cases helpful. On behalf of the Maryland Courts, thanks for watching.